



THE CITY OF NEW YORK
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April 3, 2008

BY HAND DELIVERY

Honorable Leonard B. Sand
United States District Judge
United States Courthouse
Southern District of New York
500 Pearl Street, Room 1650
New York, New York 10007

Re: Robert Jackson v. City of New York, et al.
07 CV 10500 (LBS)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney assigned to represent defendants City of New York, Raymond W. Kelly, James O'Connell, Peter O'Neill, Eugene Jonny and Gennaro Santerelli, in this matter. ¹ I write to respectfully request an enlargement of time for defendants Eugene Jonny and Gennaro Santerelli to answer or otherwise respond to the complaint to May 14, 2008. Plaintiff's counsel consents to this application.

In the complaint, plaintiff alleges, *inter alia*, that, as a result of an arrest on May 6, 2005, he was subjected to excessive force by officers of the New York City Police Department. On or about March 13, 2008, the City of New York, Raymond W. Kelly, James O'Connell and Peter O'Neill filed an answer to the complaint.

Defendant officers Eugene Jonny and Gennaro Santerelli were not in receipt of waivers of service with an attached summons and complaint until sometime late in the week of

¹ Upon information and belief, the person identified in the caption as "Police Officer Joseph Keeney," has not been served with process and therefore is not a party to this action.

MEMO ENDORSED

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March 17, 2008. Upon information and belief, this office will assume representation of Jonny and Santerelli, however, additional time is needed to complete the interviews of the officers for purposes of responding to the complaint. However, because the undersigned will be engaged in a trial on the matter of Echo Dixon v. Ragland, et al., 03-CV-0826, before the Honorable Laura Swain in the Southern District of New York, beginning on April 21, 2008, this office will be unable to interview the officers until early in May.

No previous request for an enlargement to answer on behalf of defendants Jonny and Santerelli have been made. Accordingly, we respectfully request an enlargement of time for defendants Eugene Jonny and Gennaro Santerelli to answer or otherwise respond to the complaint to May 14, 2008.

Thank you for your consideration of this request.

Respectfully submitted,



Baree N. Fett (BF9416)
Assistant Corporation Counsel

cc: Cynthia Conti-Cook, Esq., Stoll, Glickman & Bellina (by Fax)

*Adj enlargement of time to respond
to complaint to May 14, 2008*

granted in consent

To order



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MEMO ENDORSED